

To: Jackson, Scott[Jackson.Scott@epa.gov]
Cc: Russ, Timothy[Russ.Tim@epa.gov]
From: Tuers, Charis
Sent: Mon 2/8/2016 6:24:24 PM
Subject: Re: Conformity Question for the UGRB

Referred to BLM

Charis A. Tuers
Air Resource Specialist
Bureau of Land Management
Wyoming State Office
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ctuers@blm.gov

On Fri, Feb 5, 2016 at 12:15 PM, Jackson, Scott <Jackson.Scott@epa.gov> wrote:

Hi Charis,

The purpose of this email is to respond to your questions that were discussed with Tim Russ, of my staff, and as presented in your email of January 20, 2016 (hereafter "BLM email") attached further below. We appreciate your sending us an email for us to better understand and respond to your questions.

We offer following responses below along with a request for the BLM to confirm, or correct as appropriate, our assumptions used to facilitate our responses. Please also note where we ask for additional information and/or clarification; once we hear back from you we'll provide further responses to your questions.

1.) EPA Observation: Based on the following statement in the BLM email, the Jonah Infill Development Project (JIDP) FEIS and ROD were apparently completed before the UGRB was designated nonattainment for the 2008 8-hour National Ambient Air Quality Standard (NAAQS):

Referred to BLM

EPA Response: Based on the above, EPA assumes that as the area was considered attainment at that time and there was no general conformity analysis or determination prepared by the BLM for the JIDP EIS or ROD. EPA requests that BLM confirm this

assumption so as to rule out the possibility that the BLM perhaps did a subsequent general conformity analysis for the whole JIDP after the UGRB area was designated nonattainment for the 2008 8-hour ozone NAAQS.

Referred to BLM

2.) EPA Observation: We note that the UGRB area was designated nonattainment for the 2008 8-hour ozone NAAQS effective on July, 20, 2012 (see 77 FR 30088, May 21, 2012); therefore, the general conformity requirements applied to the UGRB on July 20, 2013. Based on the below statement in the BLM email, it is our understanding that likely no overall general conformity analysis and determination (as appropriate) was ever prepared JIDP. Therefore, as the BLM issues an APD for drilling in the JIDP (as considered a Federal Action), subsequent to the time the UGRB was designated nonattainment, the BLM has apparently been evaluating general conformity for each APD:

Referred to BLM

EPA Response: It would help our understanding of the process if the BLM could explain how the general conformity evaluations were prepared for the APDs in the JIDP (i.e., methodology, assumptions, emissions sources, number of wells authorized by each APD, etc.).

Referred to BLM

3.) BLM's Questions:

Referred to BLM

Referred to BLM

EPA Response: In order to accurately respond to the BLM's general conformity questions, the EPA requests that the BLM please review, clarify and/or correct the following EPA assumptions:

a.) **Assumption:** The BLM is treating this EA as a new Federal action, and the BLM will not be supplementing the original JIDP EIS or ROD.

Referred to BLM

b.) **Assumption:** Drilling authorized under current APDs, derived from the JIDP EIS and ROD, in the JIDP would continue.

Referred to BLM

c.) **Assumption:** BLM is evaluating the operators' request through an EA that would allow year-round drilling of new development wells. In effect, the EA may be interpreted so as to also revise existing APDs in the JIDP and allow the operators to drill year-round, removing the March through June drilling restriction.

Referred to BLM

Once we hear back from you we'll be pleased to provide a response to your questions. Thank you for the opportunity to review and discuss general conformity issues with the EA that your office is evaluating. Please let us know if you have any questions and too, if you would like to arrange a conference call to address any of the points presented above .

Thanks,

Scott

Scott Jackson, Unit Chief

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From: Tuers, Charis [<mailto:ctuers@blm.gov>]
Sent: Wednesday, January 20, 2016 2:17 PM
To: Russ, Timothy <Russ.Tim@epa.gov>
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